



Entered on Docket
March 12, 2010

A handwritten signature in cursive script, reading "Bruce A. Markell".

Hon. Bruce A. Markell
United States Bankruptcy Judge

WILDE & ASSOCIATES

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HSBC Bank USA National Association as Trustee for Nomura Asset Acceptance Corporation Mortgage
Pass-through Certificates, Series 2007-3
09-77305

**UNITED STATES BANKRUPTCY COURT
DISTRICT OF NEVADA**

In Re:

Rodrigo Garcia Santos and Doris Santos

Debtors

BK-09-29131-bam

Date: 2/23/2010
Time: 1:30 pm

Chapter 13

ORDER VACATING AUTOMATIC STAY

1 IT IS HEREBY ORDERED, ADJUDGED AND DECREED that the Automatic Stay in the
2 above-entitled bankruptcy proceedings is immediately vacated and extinguished for all purposes as to
3 Secured Creditor HSBC Bank USA National Association as Trustee for Nomura Asset Acceptance
4 Corporation Mortgage Pass-through Certificates, Series 2007-3, its assignees and/or successors in
5 interest, of the subject property, generally described as 3904 San Esteban Avenue, North Las Vegas,
6 NV 89084, and legally described as follows:
7

8 PARCEL ONE (1)

9 LOT SEVENTY-SIX (76) IN BLOCK SIX (6) OF FINAL MAP OF ALIANTE NORTH
10 PARCEL 19 (A COMMON INTEREST COMMUNITY) AS SHOWN BY MAP THEREOF
11 ON FILE IN BOOK 119 OF PLATS, PAGE 28, IN THE OFFICE OF THE COUNTY
12 RECORDER, CLARK COUNTY, NEVADA. RESERVING THEREFROM A NON-
13 EXCLUSIVE EASEMENT FOR INGRESS, EGRESS AND ENJOYMENT IN AND TO THE
14 COMMON ELEMENTS AS DELINEATED ON SAID MAP
15 REFERRED TO ABOVE AND FURTHER DESCRIBED IN THE DECLARATION OF
16 COVENANTS, CONDITIONS AND RESTRICTIONS FOR SEVILLE ETAGE RECORDED
17 AUGUST 15, 2005 IN BOOK 20050815 AS DOCUMENT NO. 3121 OF OFFICIAL
18 RECORDS.
19

20 PARCEL TWO (2):

21 A NON-EXCLUSIVE EASEMENT FOR INGRESS, EGRESS AND ENJOYMENT IN AND
22 TO THE COMMON ELEMENTS AS DELINEATED ON SAID MAP REFERRED TO
23 ABOVE AND FURTHER DESCRIBED IN THE DECLARATION OF COVENANTS,
24 CONDITIONS AND RESTRICTIONS FOR SEVILLE ETAGE RECORDED AUGUST 15,
25 2005 IN BOOK 20050815 AS DOCUMENT NO. 3121 OF OFFICIAL RECORDS.
26

IT IS FURTHER ORDERED, ADJUDGED and DECREED that the Secured Creditor shall give
Debtors at least five business days' notice of the time, place and date of sale.

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1 IT IS FURTHER ORDERED, ADJUDGED, AND DECREED that Secured Creditor hereby
2 withdraws its secured Proof of Claim filed in this matter. The Secured Creditor shall notify the Trustee of
3 the completion of the foreclosure sale. If applicable, Secured Creditor may thereafter amend its secured
4 Proof of Claim to an unsecured Proof of Claim no later than forty-five (45) days after the foreclosure sale.

5 DATED this ____ day of _____, 2010.

6 Submitted by:

7 **WILDE & ASSOCIATES**

8 By:  #10235

9 **Gregory L. Wilde, Esq.**
10 Attorney for Secured Creditor
11 212 South Jones Boulevard
12 Las Vegas, Nevada 89107

13 ...

14 APPROVED / DISAPPROVED

15 By: _____

16 Boris A. Avramski
17 4640 W. Charleston Blvd.
18 Las Vegas, NV 89102
19 Attorney for Debtor(s)

20 Nevada Bar No: _____

21 APPROVED / DISAPPROVED

22 By: _____

23 Rick A. Yarnall
24 701 Bridger Avenue #820
25 Las Vegas, NV 89101
26 Chapter 13 Trustee

1 In accordance with Local Rule 9021, the undersigned counsel certifies as follows (check one):

2 ☐ The court waived the requirements of L.R. 9021.

3 ☐ No parties appeared or filed written objections, and there is no trustee appointed in the case.

4 ☐ No parties appeared or filed written objections, and the trustee is the movant.

5 ☒ This is a chapter 7 or 13 case, and either with the motion, or at the hearing, I have delivered a
6 copy of this proposed order to all counsel who appeared at the hearing, and any trustee
7 appointed in this case, any unrepresented parties who appeared at the hearing, and each has
8 approved or disapproved the order, or failed to respond, as indicated below:

9 Debtor's counsel:

10 ☐ approved the form of this order ☐ disapproved the form of this order

11 ☐ waived the right to review the order and/or ☒ failed to respond to the document

12 ☐ appeared at the hearing, waived the right to review the order

13 ☐ matter unopposed, did not appear at the hearing, waived the right to review the order

14 Trustee:

15 ☐ approved the form of this order ☐ disapproved the form of this order

16 ☐ waived the right to review the order and/or ☒ failed to respond to the document

17 ☐ This is a chapter 9, 11, or 15 case, and I have delivered a copy of this proposed order to all
18 counsel who appeared at the hearing, and any trustee appointed in this case any unrepresented
19 parties who appeared at the hearing, and each has approved or disapproved the order, or failed to
20 respond, as indicated below.

21 Debtor's counsel:

22 ☐ approved the form of this order ☐ disapproved the form of this order

23 ☐ waived the right to review the order and/or ☐ failed to respond to the document

24 ☐ appeared at the hearing, waived the right to review the order

25 ☐ matter unopposed, did not appear at the hearing, waived the right to review the order

26 Trustee:

☐ approved the form of this order ☐ disapproved the form of this order

☐ waived the right to review the order and/or ☐ failed to respond to the document

☐ I certify that I have served a copy of this order with the motion, and no parties appeared or filed
written objection.

Submitted by:

/s/ Gregory L. Wilde, Esq.

Gregory L. Wilde, Esq.

Attorney for Secured Creditor